

SENATE BILL 1239

By Norris

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 6, relative to the office of solicitor general.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-6-103, is amended by designating the existing language as subsection (a), deleting the first sentence of the section, and substituting instead:

Except as provided in subsection (b), the attorney general and reporter, consistent with budgetary limitations, is authorized to appoint such assistants and other personnel as the attorney general and reporter may deem necessary to perform the duties of the office.

SECTION 2. Tennessee Code Annotated, Section 8-6-103, is further amended by adding the following language as a new subsection (b):

(b)

(1) There shall be a solicitor general of Tennessee, who shall be elected by a joint vote of both houses of the general assembly and shall hold office for a term of four (4) years, and until a successor is elected and qualified.

(2) The general assembly shall elect the solicitor general during the first thirty (30) days of the first regular session of the 111th general assembly, and every odd-numbered general assembly thereafter.

(3) The solicitor general shall be the head of the office of the solicitor general within the office of the attorney general and reporter.

(4) The solicitor general shall:

(A) Be a graduate of an accredited law school and be licensed to practice law in this state;

(B) Have such training or practical experience as may be considered necessary by the general assembly to perform the duties of the office; and

(C) Receive compensation for services as set by the general assembly.

(5)

(A) If a vacancy occurs in the office of solicitor general, a replacement shall be elected by a joint vote of both houses of the general assembly to fill the unexpired term of the solicitor general.

(B) If the general assembly is not in session when the vacancy occurs, then an interim solicitor general shall be appointed jointly by the speaker of the senate and the speaker of the house of representatives and shall serve until the general assembly reconvenes and elects a solicitor general to fill the unexpired term, pursuant to subdivision

(b)(5)(A).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.